

Docket No.: 406-01

**CERTIFICATE OF MAILING (37CFR 1.8(a))**

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

August 11, 2004  
Date

Henry E. Auer  
Signature

Henry E. Auer  
Typed name of person signing Certificate

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: **10/642,776**                      Group Art Unit: **1635**  
Filing Date: **Aug. 18, 2003**                      Examiner: **Not Assigned**  
Inventor: **Roy et al.**  
Title of Application: **Compositions And Methods For Proteomic Investigations**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**LETTER OF TRANSMITTAL: INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Applicants provide herewith an Information Disclosure Statement. This communication includes the following items:

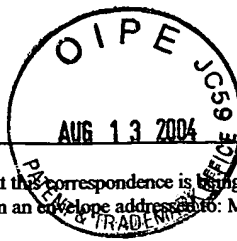
- ☒ Letter, Information Disclosure Statement Under 37 CFR 1.97(b)
- ☒ Substitute for Form 1449/PTO Information Disclosure Statement by Applicant, in Duplicate
- ☒ Return Post Card

Respectfully submitted,

Date: August 11, 2004

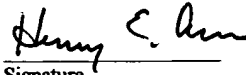
Henry E. Auer 39,096  
Henry E. Auer (Reg. No.)  
Agent for Applicant

Proteus Patent Practice LLC  
P. O. Box 1867  
New Haven, CT 06508  
Phone: (203) 777-4607  
Fax: (203) 624-8594  
Email: proteuspatent@snet.net



Docket No.: 406-01

IPW

CERTIFICATE OF MAILING (37CFR 1.8(a))	
I hereby certify that the correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
August 11, 2004 Date	 Signature
	Henry E. Auer Typed name of person signing Certificate

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.:	10/642,776	Group Art Unit:	1635
Filing Date:	Aug. 18, 2003	Examiner:	Not Assigned
Inventor:	Roy et al.		
Title of Application:	Compositions And Methods For Proteomic Investigations		

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97(b)**

Dear Sir:

Pursuant to the Duty to Disclose under 37 CFR 1.56, 1.97 and 1.98, the Applicant makes of record the documents listed below, and on the Substitute for Form PTO/1449 enclosed in duplicate with this letter. The order of presentation of the documents is not related to any assessment of their relative importance.

U. S. Pat. 5,294,681, published 03-15-1994, to Krupey;

U. S. Pat. 5,453,493, published 09-26-1995, to Krupey;

U. S. Pat. 5,534,597, published 07-09-1996, to Krupey;

U. S. Pat. 5,770,712, published 06-23-1998, to Roy et al.; and

U. S. Pat. 5,976,382, published 11-02-1999, to Krupey.

A copy of each information document is omitted since the filing date for the instant application is later than June 30, 2003. Accordingly, it is believed that the U. S. Patent & Trademark Office has waived the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication (Official Gazette Notices: 05 August 2003).

Applicant requests the Examiner to consider completely each item of information in reaching a determination concerning the patentability of the instant application. The Applicant further requests that the Examiner initial Form PTO/1449 if the reference was considered, whether or not the citation is in conformance with MPEP 609, or to draw a line through the citation if it is not in conformance and was not considered, and to include a copy of the form with the next communication to the Applicant.

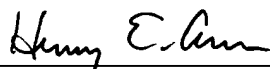
By submitting this information, no representation is made (1) that a search was performed, (2) concerning the extent of any search that may have been made, (3) that more relevant information does not exist, (4) that information cited on Form PTO/1449 is, or is considered to be, material to patentability as set forth in 37 CFR 1.56(b), and (5) that information cited is, or is considered to be, prior art as defined by 35 U.S.C. 102.

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application.

It is believed that this Information Disclosure Statement is filed prior to the mailing date of the first Office Action on the merits for this application. It is therefore believed that no fee is due with this reply, in accordance with 37 CFR 1.97(b). If there remains nevertheless any fee due, the Commissioner is hereby authorized to charge the required filing fee, or any underpayment thereof, or to credit any overpayment thereof, to Proteus Patent Practice LLC Deposit Account No. 502572, Ref. No 406-01.

Respectfully submitted,

Date: August 11, 2004

  
Henry E. Auer 39,096  
(Reg. No.)

Agent for Applicant  
Proteus Patent Practice LLC  
P. O. Box 1867  
New Haven, CT 06508  
Phone: (203) 777-4607  
Fax: (203) 624-8594  
Email: proteuspatent@snet.net

**(Use as many sheets as necessary)**

Attorney Docket Number	406-01
------------------------	--------

Sheet	1	of	1
-------	---	----	---

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-5,294,681	03-15-1994	Krupey	
		US-5,453,493	09-26-1995	Krupey	
		US-5,534,597	07-09-1996	Krupey	
		US-5,770,712	06-23-1998	Roy, et al.	
		US-5,976,382	11-02-1999	Krupey	
		US-			
		US-			
		US-			
		US-			
		US-			

[illegible]Date  
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIP Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.**